

## **REMARKS**

The above Amendments and these Remarks are in reply to the Final Office Action mailed August 22, 2006. Claims 1, 4-9, 11, 13, 14, 17, 20-25, 27-32, 34 and 35 were pending in the Application prior to the outstanding Office Action. Claims 1 and 17 are currently being amended, claims 8, 9, 14, 24, 25, 29-32, 34 and 35 are being canceled. Accordingly, claims 1, 4-7, 11, 13, 17, 20-23, 27 and 28 remain for the Examiner's consideration, with claims 1, 11, 17 and 27 being independent. Reconsideration and withdrawal of the outstanding rejections are respectfully requested.

### **I. Claim Rejection Under 35 U.S.C. § 103**

Claims 1, 4, 5, 8, 9, 14, 17, 20, 21, 24, 25, 29-33, 34 and 35 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Wydra (U.S. Patent No. 6,598,067), in view of Rutten et al. (U.S. Patent No. 6,632,251).

Claims 6, 7, 11, 13, 22, 23, 27 and 28 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Wydra and Rutten, further in view of Austin (U.S. Patent No. 5,781,711).

### **II. Discussion of Claims**

#### **A. Claims 1 and 4-7**

Claim 1 has been amended to further highlight the differences between the claimed invention and Wydra and Rutten.

Support for these amendments is provided in the specification as originally filed, e.g., page 16, lines 16-19; page 17, line 15 to page 18, line 6; page 18, lines 10-20; page 19, lines 1-10; page 27, lines 6-8; page 20, lines 20-21; page 43, lines 13-21. For a specific example, the last wherein clause of claim 1 is supported by page 18, lines 10-20. Further support is also provided throughout the specification.

Claim 1, as amended, is reproduced below for the convenience of the Examiner.

1. A computer implemented method for preparing a job for execution by a batch job execution system in parallel, comprising:

receiving a job from an external source, wherein the job includes a plurality of tasks;

selecting a program, subsequent to receiving the job, which includes a declarative part and a procedural part;

preparing a batch job by associating the selected program with the job; and

transmitting the batch job toward the batch job execution system;

wherein the declarative part schedules a plurality of tasks to be performed, identifies data dependencies between individual tasks, and further includes a description of work to be performed, references to resources needed to perform particular tasks, and delegations of authority to access the resources and perform operations;

wherein the procedural part contains logic enabling the batch job execution system to perform execution of individual tasks separately, in parallel; and

wherein the procedural part does not know about the scheduling contained in the declarative part, but can specify additional steps that must be completed after the procedural part completes before a particular task is considered to have completed.

Applicants believe that claim 1, as amended, clearly distinguishes from Wydra and Rutten, alone or in combination, for at least the following reasons. Rutten and Wydra, alone or in combination, do not teach or suggest subsequent to receiving a job from an external source, selecting a program that “includes a declarative part and a procedural part” “wherein the declarative part schedules the plurality of tasks to be performed, identifies data dependencies between individual tasks, and further includes a description of work to be performed, references to resources needed to perform particular tasks, and delegations of authority to access the resources and perform operations”, “wherein the procedural part contains logic enabling the batch job execution system to perform execution of individual tasks separately, in parallel” and “wherein the procedural part does not know about the scheduling contained in the declarative part, but can specify

additional steps that must be completed after the procedural part completes before a particular task is considered to have completed.” Further, Wydra and Rutten do not teach or suggest preparing a batch job by associating the selected program with the job, where the selected program is defined as recited above. Additionally, Wydra and Rutten do not teach or suggest “transmitting the batch job toward the batch job execution system”, where the batch job is prepared as recited above.

In the Office Action, column 11, lines 23-33 and FIG. 8 were relied on for allegedly teaching the step of “selecting a program, subsequent to receiving the job, which includes a first part and a second part”, which was included in claim 1 prior to the present amendment. This portion of claim 1 has been amended to make it clear that the first part is “a declarative part” and the second part is a “procedural part”. Claim 1 has also been amended to explain in detail what is meant by the declarative and procedural parts. Column 11, lines 23-33 of Wydra merely explains an example of a service created by an Application Server Framework (ASF) that is a service inherited from a service object. Other portions of Wydra mention that the ASF includes several software modules including a service brokers, a listener, a connection controller, a schedule controller, a schedule, a list of application servers, and a load balancer (e.g., see column 5, lines 7-26). However, such modules of Wydra are at best for performing a batch job, not preparing a batch job. Further, such elements of Wydra are not part of a program that is selected, subsequent to receiving a job, and which is associated with the job to prepare a batch job that is thereafter transmitted toward a batch job execution system. Further, such elements of Wydra do not teach all the features of the declarative and procedural parts of a program of claim 1, which is selected subsequent to receiving the job. Rutten does not teach the deficiencies of Wydra.

For at least the reasons set forth above, Applicants respectfully assert that claim 1, as amended, is patentable over Rutten and Wydra, alone or in combination. Claims 4-7 depend from and add additional features to claim 1. For at least the reasons set forth above, it is believed that these dependent claims are also patentable over the cited references.

## B. Claims 11 and 13

The steps of claim 11, which are performed by the service provider, describe a method in which the service provider can utilize a remote platform to convert information.

Claim 11 requires that "the step of making a call to start a session [with a remote platform, in response to receiving a task of a batch job] further comprises **creating a unique address** which identifies the session; and the step of making a call to end the session [with the remote platform] **terminates the unique address.**" (emphasis added)

In the rejection of claim 11, it was alleged in the Office Action that Austin teaches these features at column 11, lines 3-22; and column 8, line 62 - column 9, line 2. Applicants respectfully disagree.

In the previous Reply, Applicants stated that Column 11, lines 3-22 of Austin merely explains that a bus gateway device provides an interface between a host bus and a video bus by translating virtual addresses to real addresses. Converting virtual addresses to real addresses is a well known memory mapping technique that has nothing to do with starting and ending sessions with a remote platform, as is required by claim 11. Further, Austin does not say that its translating of a virtual addresses to a real addresses is in response to receiving a task of a batch job.

In the previous Reply, Applicants also stated that Column 8, line 62 - column 9, line 2 of Austin merely says that the beginning and end addresses of a packet are used by a transfer unit when implementing a transfer; and that when a transfer is complete a signal which includes packet size and address designations are transmitted via a signal to a system controller. Transmitting an address designation to a system controller has nothing to do with terminating a unique address to end a session.

In response to the above arguments, the latest Office Action only stated that Austin's "release of resources would including ending the session that is associated with a unique address". However, the Office Action does not address Applicants' argument that Austin does not teach or suggest that "the step of making a call to start a session [with a remote platform, **in response to receiving a task of a batch job**] further comprises **creating a unique address** which identifies the session", as is required by claim 11. Just because Austin says it can translate a virtual address to a real address, this

does not mean Austin is doing so in order to make a call to start a session, in response to receiving a task of a batch job. In fact, there is no teaching or suggestion in Austin of this. Further, the Examiner does not provide support for his statement that Austin's "release of resources would including ending the session that is associated with a unique address". Rather, this appears to be a conclusory statement by the Examiner.

For at least the reasons discussed above, Applicants again respectfully request that the 103(a) rejection of claim 11, and its dependent claim 13, be reconsidered and withdrawn.

**C. Claims 17 and 20-23**

Claim 17 is directed to an apparatus for preparing a job for execution by a batch job execution system. Claim 17, as amended, includes a client that is for performing similar steps to those recited in claim 1 as amended. Accordingly, Applicants believe that claim 17, and its dependent claims, 20-23, are patentable for at least similar reasons to those discussed above with regards to claim 1 and its dependent claims.

**D. Claims 27 and 28**

Applicants believe that claim 27 and its dependent claims 28, are patentable over the applied references for reasons similar to those discussed above with reference to claim 11 and its dependent claims.

### **III. Conclusion**

In light of the above, it is respectfully requested that all outstanding rejections and objections be reconsidered and withdrawn. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

No fee is believed due in connection with this paper. However, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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